

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Rosenthal, et al.

Serial No .:

09/864,728

Filed:

May 24, 2001

For:

Linker Arm for Nanocrystals and Compounds Thereof

Group Art Unit:

1641

Examiner:

Ceperley, Mary

Attorney's Docket No.

11672N/020878

Customer No.:

32885

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated December 29, 2003 of the Primary Examiner finally rejecting claims 8-16.

The enclosed document is being transmitted via the certificate of mailing provisions of 37 C.F.R. § 1.8.

Small Entity Status remains proper for this Application.

The Government fee of \$165.00 for filing this Notice of Appeal is enclosed.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicants respectfully petition for a one (1) month extension of time for filing a response in connection with the present application.

05/05/2004 MGEBREM1 00000004 09864728

01 FC:2401 02 FC:2251 165.00 OP 55.00 OP 11672N:020878:578942:1:NASHVILLE Form PTO-2038 in the amount of \$220.00 is enclosed to cover the petition fee and extension fee.

The Commissioner is authorized to charge any deficiency or credit any overpayment associated with the filing to Deposit Account 50-2752.

If the Examiner has any questions regarding this correspondence, or the Application in general, she is respectfully invited to contact the undersigned.

Respectfully submitted,

Richard S. Myers, Jr. Registration No. 42,022

STITES & HARBISON, PLLC

Customer No. 32885 Attorneys for Applicant